

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,542,834 B2; Issued June 2, 2009

Application No.: 10/540,135

Filing Date: June 21, 2005

Applicant: Kunio Nobori, et al.

Group Art Unit: 3661

Examiner: Cuong H. Nguyen

Title: Mobile Unit Motion Calculating Method, Apparatus and Navigation System

Attorney Docket: 5077-000244/NP

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER RULE 1.705

Patentee hereby requests reconsideration of the Petition for corrected Patent Term Adjustment under Rule 1.705 which was dismissed by the Office in a Decision dated September 29, 2009. In view of the fact that *Wyeth v Dudas* is currently on appeal to the Court of Appeals for the Federal Circuit, Patentee respectfully requests the Office to defer decision on this Request for Reconsideration until such time as the Court of Appeals for the Federal Circuit has ruled in *Wyeth v Dudas*. This request is made in the interest of judicial economy and because *Wyeth v Dudas* is expected to construe the statutory meaning of "overlap" as used in 35 U.S.C. § 154(b).

Respectfully submitted,

Dated: October 23, 2009

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